

Summary of Zoning Ordinance Revisions Proposed 6/20/2019

1. Definitions
 - a. Separate definitions based on state language are added for each medical marijuana facility
 - b. Home occupation definition is updated to reflect no medical marijuana facilities shall be construed as a home occupation.
2. Medical Marijuana Dispensary
 - a. Added to the list of Permitted Uses in C-2 Shopping District and C-3 Shopping District when sited at minimum 300 feet from a childcare center, school, or place of worship.
 - b. Not permitted in the C-1 Neighborhood Shopping District.
3. Medical Marijuana Cultivation Facility
 - a. Added to the list of Permitted Uses in the M-1 Industrial District and M-2 Industrial District when indoor or in a greenhouse.
 - b. Added to the list of Conditional Uses in the KP Karst Preservation District and NU Non-Urban District when outdoor.
 - c. Minimum lot size is 3 acres when outdoor.
4. Medical Marijuana Testing Facility
 - a. Added to the list of Permitted Uses in the C-6 Office and Research Service District, the M-1 Industrial District, and the M-2 Industrial District.
5. Medical Marijuana-Infused Products Manufacturing Facility
 - a. Added to the list of Permitted Uses in the M-1 Industrial District and M-2 Industrial District.
6. Parking
 - a. Each medical marijuana facility is added to the Parking Regulations based on a similar use.
7. Fee and Location Verification
 - a. A location verification fee of \$100.00 for Medical Marijuana Dispensary will be added. Planning shall provide a location verification to Public Works.

Recommended Changes to the Zoning Ordinance 6/20/2019

1003.020 Definitions

- (63) **Home Occupation:** A business, commercial, or professional endeavor operated as a domestic activity carried on solely by members of a family who reside on the premises. These endeavors shall not offer any services to the general public, nor stock in trade or commodity on the premises, shall utilize no equipment, except as is customary for purely domestic or household purposes, and shall not involve any signage or display which indicates use of the property for any purpose other than a dwelling from the exterior of the dwelling. The keeping of not more than two (2) roomers or boarders, the supervision of not more than four (4) children other than those residing on the premises, and the instruction or tutoring of one (1) student at a time, up to eight (8) students per day, shall each constitute a home occupation. Beauty or barber shops, convalescent or nursing homes, tourist homes, including bed-and-breakfast, medical marijuana facilities, music schools involving the instruction of more than one (1) student at a time, massage parlors, and motor vehicle repairs shall not be deemed home occupations.
- (81) **Medical or Dental Office (Clinic):** A facility for the practice of medicine or dentistry for humans, including accessory diagnostic laboratories, but not including in-patient or overnight care, or operating rooms for major surgery.
- (82) **Medical Marijuana Cultivation Facility (Indoor, Greenhouse or Outdoor):** a facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a Medical Marijuana Dispensary Facility, Medical Marijuana Testing Facility, or to a Medical-Infused Products Manufacturing Facility. Outdoor cultivation is conducted in an unenclosed structure or in the open and properly secured by fencing. Indoor and greenhouse cultivation is conducted in a fully enclosed and properly secured structure with rigid walls, a roof, and doors and which is secure against unauthorized entry, accessible only through one or more lockable doors, and constructed of solid materials that cannot easily be broken through.
- (83) **Medical Marijuana Dispensary Facility:** a facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products and drug paraphernalia used to administer marijuana in accordance with applicable law and regulations.
- (84) **Medical Marijuana-Infused Products Manufacturing Facility:** a facility licensed by the State of Missouri, to acquire, store, manufacture, transport, and sell marijuana-infused products to a Medical Marijuana Dispensary Facility, a Medical Marijuana Test Facility, or to another Medical Marijuana-Infused Projects Manufacturing Facility.
- (85) **Medical Marijuana Testing Facility:** a facility certified by the State of Missouri, to acquire, test, certify, and transport marijuana.

[(82)] (86) **Modular Unit:** A prefabricated building which arrives at its building site virtually complete, requiring only site preparation and assembly of major components, including installation on a permanent foundation.

1003.107 “NU” Non Urban District Regulations

3. Conditional Land Use and Development Permits issued by the Commission.

The following land uses and developments may be permitted under conditions and requirements specified in Section 1003.181 Conditional Use Permits:

- (20) Logging operations, sawmills, and mill storage of lumber, but not including any fabrication of timber structures.
- (21) Medical Marijuana Cultivation Facility; Outdoor.
- [(21)] (22) A Mulching plants for trees, wood, or wood waste, but not including any assembly or manufacture of a product.

7. Lot Area and Yard Requirements.

The minimum lot area and yard requirements for land uses and developments in the "NU" Non Urban District shall be as set out below:

- (1) Minimum Lot Area Requirements:
 - (a) The following Permitted and Conditional Land Uses shall be situated on tracts of land providing not less than the following areas:

Use	Minimum Area
Mechanical sewage treatment facility	3 acres
<u>Medical Marijuana Cultivation Facility; Outdoor</u>	<u>3 acres</u>
Schools	
nursery or day nursery	1 acre
kindergarten (separate)	3 acres

1003.109 “KP” Karst Preservation District Regulations

4. Conditional Land Use and Development Permits issued by the Commission.

The following land uses and developments may be permitted under conditions and requirements specified in Section 1003.181 Conditional Use Permits:

- (12) Local public utility facilities over sixty (60) feet in height or over one hundred thousand (100,000) cubic feet in volume.
- (13) Medical Marijuana Cultivation Facility; Outdoor.
- [(13)] (14) Nursing homes, but not including self-care units.

9. Lot Area and Yard Requirements.

The minimum lot area and yard requirements for land uses and developments in the "KP" Karst Preservation District shall be as set out below:

- (1) Minimum Lot Area Requirements:
 - (a) The following Permitted and Conditional Land Uses shall be situated on tracts of land providing not less than the following areas:

Use	Minimum Area
Mechanical sewage treatment facility	3 acres
<u>Medical Marijuana Cultivation Facility; Outdoor</u>	<u>3 acres</u>
Schools kindergarten (separate)	3 acres

1003.133 “C-2” Shopping District Regulations

2. Permitted Land Uses and Developments

The following land uses and developments are permitted in this District:

- (9) Medical and dental offices.
- (10) Medical Marijuana Dispensary Facility. A Medical Marijuana Dispensary shall not be located within 300 feet of any then existing elementary or secondary school, childcare center, or place of worship.

[(10)] (11) Mortuaries.

8. Development Limitations.

(4) Medical Marijuana Dispensary measurement requirements:

- a. In the case of a freestanding medical marijuana dispensary, the distance between the dispensary and an elementary or secondary school, child care center, or place of worship shall be measured from the external wall of the dispensary structure closest in proximity to the elementary or secondary school, child care center, or place of worship to the closest point of the property line of the elementary or secondary school, child care center, or place of worship. If the elementary or secondary school, child care center, or place of worship is part of a larger structure, the distance shall be measured to the entrance of the elementary or secondary school, child care center, or place of worship.
- b. In the case of a medical marijuana dispensary as part of a larger structure, the distance between the dispensary and the elementary or secondary school, child care center, or place of worship shall be measured from the property line of the elementary or secondary school, child care center, or place of worship to the dispensary’s entrance or exit closet in proximity elementary or secondary school, child care center, or place of worship. If the elementary or secondary school, child care center, or place of worship is part of a larger structure, the distance shall be measured to the entrance of the elementary or secondary school, child care center, or place of worship.
- c. Measurements shall be made along the shortest legally path between the demarcation points that can be lawfully traveled by foot as determined by the Department of Planning.

1003.135 “C-3” Shopping District Regulations

2. Permitted Land Uses and Developments

The following land uses and developments are permitted in this District:

(11) Medical and dental offices.

(12) Medical Marijuana Dispensary Facility. A Medical Marijuana Dispensary shall not be located within 300 feet of any then existing elementary or secondary school, childcare center, or place of worship.

[(12)] (13) Mortuaries.

8. Development Limitations.

(4) Medical Marijuana Dispensary measurement requirements:

- a. In the case of a freestanding medical marijuana dispensary, the distance between the dispensary and an elementary or secondary school, child care center, or place of worship shall be measured from the external wall of the dispensary structure closest in proximity to the elementary or secondary school, child care center, or place of worship to the closest point of the property line of the elementary or secondary school, child care center, or place of worship. If the elementary or secondary school, child care center, or place of worship is part of a larger structure, the distance shall be measured to the entrance of the elementary or secondary school, child care center, or place of worship.
- b. In the case of a medical marijuana dispensary as part of a larger structure, the distance between the dispensary and the elementary or secondary school, child care center, or place of worship shall be measured from the property line of the elementary or secondary school, child care center, or place of worship to the dispensary’s entrance or exit closet in proximity elementary or secondary school, child care center, or place of worship. If the elementary or secondary school, child care center, or place of worship is part of a larger structure, the distance shall be measured to the entrance of the elementary or secondary school, child care center, or place of worship.
- c. Measurements shall be made along the shortest legally path between the demarcation points that can be lawfully traveled by foot as determined by the Department of Planning.

1003.141 "C-6" Office and Research Service District Regulations.

2. Permitted Land Uses and Developments

The following land uses and developments are permitted in this District:

- (9) Medical and dental offices.
- (10) Medical Marijuana Testing Facility
- [(10)] (11) Nursery schools and day nurseries.

1003.151 "M-1" Industrial District Regulations

2. Permitted Land Uses and Developments

The following land uses and developments are permitted in this District:

- (3) Manufacturing, fabrication, assembly, processing, or packaging of any commodity from semi-finished materials, except explosives or flammable gases or liquids.
- (4) Medical Marijuana Cultivation Facility; Indoor or Greenhouse
- (5) Medical Marijuana Testing Facility
- (6) Medical Marijuana-Infused Products Manufacturing Facility
- [(4)] (7) Offices or office buildings.

1003.153 "M-2" Industrial District Regulations

2. Permitted Land Uses and Developments

The following land uses and developments are permitted in this District:

- (3) Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:
 - (a) Facilities producing or processing explosives or flammable gases or liquids;
 - (b) Facilities for animal slaughtering, meat packing, or rendering;
 - (c) Sulphur plants, rubber reclamation plants, or cement plants, and
 - (d) Steel mills, foundries, or smelters.
- (4) Medical Marijuana Cultivation Facility; Indoor or Greenhouse
- (5) Medical Marijuana Testing Facility
- (6) Medical Marijuana-Infused Products Manufacturing Facility
- [(4)] (7) Parking areas, including garages.

1003.165A Off-Street Parking and Loading Requirements - Commercial.

	Use	Minimum Parking Requirements	Minimum Loading Requirements (Section 1003.165F)
Retail Sales and Service	Commercial Service Retail Sales Uses (except as noted herein)	4 spaces for every 1000 sq. ft. gross floor area	Table B
	<u>Medical Marijuana Dispensary Facility</u>	<u>4 spaces for every 1000 sq. ft. gross floor area</u>	<u>Table B</u>
	Mini-warehouses/ Self-Storage Facilities	3 1/3 spaces per 1000 sq. ft. of office, 1 space for caretaker, drive aisles a minimum of 24 feet in width	Table B

1003.165D Off-Street Parking and Loading Requirements - Agriculture.

	Use	Minimum Parking Requirements	Minimum Loading Requirements (Section 1003.165F)
Agriculture	Agriculture Operations, Farm Buildings	Sufficient open land available for parking so that no vehicle need be parked on any street	None
	<u>Medical Marijuana Cultivation Facility; Outdoor</u>	<u>2 spaces for every 3 employees on maximum shift and 1 space for every vehicle customarily used in the operation of the use or stored on the premises.</u>	<u>None</u>
	Produce Stands, Plant Nurseries and Greenhouses, Commercial Vegetable, Flower Gardens and Farmer’s Markets These uses are currently listed separately in the Zoning Ordinance	4 spaces for every 1,000 sq. ft. of indoor and outdoor sales areas	None

1003.165B Off-Street Parking and Loading Requirements - Industrial.

	Use	Minimum Parking Requirements	Minimum Loading Requirements (Section 1003.165F)
Industrial Services	Plumbing, Air Conditioning, and Heating Equipment (sales, repairs, and warehousing)	3 1/3 spaces for every 1000 sq. ft. of sale and office area, 2 spaces for every 3 employees on the maximum shift, plus 1 space for every vehicle customarily used in operation of the use or stored on the premises	See Table A
	<u>Medical Marijuana Testing Facility</u>	<u>3 1/3 spaces for every 1000 sq. ft. of gross floor area</u>	<u>See Table B</u>
	Research Facilities and Laboratories (under the same ownership or management), less than 100,000 sq. ft.	3 1/3 spaces for every 1000 sq. ft. of gross floor area up to 50,000 sq. ft., plus 2 1/2 spaces for every 1000 sq. ft. gross floor area over 50,000 sq. ft.	See Table B
Manufacturing and Production	Use	Minimum Parking Requirements	Minimum Loading Requirements (Section 1003.165F)
	Manufacturing and Fabrication	2 spaces for every 3 employees on the maximum shift, plus 1 space for every vehicle customarily used in operation of the use or stored on the premises	See Table A
	<u>Medical Marijuana Cultivation Facility; Indoor or Greenhouse</u>	<u>2 spaces for every 3 employees on the maximum shift, plus 1 space for</u>	<u>See Table B</u>

		<u>every vehicle customarily used in operation of the use or stored on the premises</u>	
	<u>Medical Marijuana-Infused Products Manufacturing Facility</u>	<u>2 spaces for every 3 employees on the maximum shift and 1 space for every vehicle customarily used in the operation of the facility.</u>	<u>See Table B</u>
	Steel Mills, Foundries, or Smelters	2 spaces for every 3 employees on the maximum shift, plus 1 space for every vehicle customarily used in operation of the use or stored on the premises	See Table A

1003.200 Administration, Enforcement, and Permits

3. Permits, Orders, and Certifications

- (f) Medical marijuana dispensary location verification and fee. Applications for marijuana location verification shall be upon the form designated by the Director of Planning. The Director of Planning shall collect a fee of \$100.00 for the location verification of each medical marijuana dispensary.